

REMARKS/ARGUMENTS

This Amendment is in response to the Final Office Action mailed September 23, 2008. Claims 2-33 were pending in the present application. This Amendment amends claims 2 and 18 and cancels claims 13, 14, 29, and 30 without prejudice, leaving pending in the application claims 2-12, 15-28, and 31-33. Applicants submit that no new matter has been introduced by virtue of these amendments. Reconsideration of the rejected claims is respectfully requested.

35 U.S.C. §102 Rejection of Claims 2-33

Claims 2-33 are rejected under 35 U.S.C. §102(b) as being anticipated by Surbey et al. (WO 0225470 A1, hereinafter "Surbey"). Applicants respectfully traverse the rejection.

Independent Claim 2

Applicants' independent claim 2 (as amended) recites:

A method for facilitating communication among at least one participant in an insurance-underwriting process, the method comprising:

providing a web-based system for storing and organizing data related to the insurance-underwriting process, the web-based system adapted to allow collaboration among the at least one participant via the Internet, the web-based system comprising a multi-level modular architecture, the multi-level modular architecture comprising a plurality of applications, each application of the plurality of applications comprising a plurality of modules, each module of the plurality of modules comprising a plurality of tools, each tool of the plurality of tools comprising a plurality of views; and

sharing, via the web-based system, the data among the at least one participant, wherein the at least one participant comprises at least one user, the at least one user being associated with at least one role, the at least one role being operative to determine the plurality of modules available to the at least one user and the data available to the at least one user, and

wherein the web-based system is adapted to restrict the data accessible to the at least one user based on a plurality of attributes of the at least one user, the plurality of attributes including an identity of the at least one user and a context in which the at least one user seeks access to the data.

(Applicants' independent claim 2, as amended, emphasis added).

Applicants respectfully submit that the features of claim 2 are not disclosed by Surbey. For example, Surbey fails to disclose "wherein the web-based system is adapted to restrict the data accessible to the at least one user based on a plurality of attributes of the at least one user, the plurality of attributes including... a context in which the at least one user seeks access to the data" as recited in claim 2. The Office Action asserts (with respect to previously presented claim 14) that this feature is shown in Surbey at FIG. 9, page 7, paragraph 4, page 8, paragraph 1 to page 9, paragraph 1, and the paragraph bridging pages 21 and 22. (Office Action: pg. 5). Applicants respectfully disagree.

Surbey is directed to "a method... for creating a customized folder structure for a web-enabled collaborative insurance process." (Surbey: Abstract). The cited sections of Surbey indicate that the folder structure for a particular user of the web-enabled process may be determined by the user's role: "The folder hierarchy can be determined by the user's role." (Surbey: pg. 7, line 29). Further, the cited sections of Surbey indicate that access rights pertaining to documents (e.g., read access, edit access) may be defined with respect to a particular user: "The software can enable the user to set 'access rights;' with respect to each collaborator... Those access rights can identify... whether the collaborator can 'read-only,' 'edit,' and/or 'delete' documents." (Surbey: pg. 8, lines 26-28).

However, contrary to the Office Action, Surbey is completely silent on restricting data that is accessible to a user of a web-enabled insurance management system based on a context in which the user seeks to access the data. A context, as defined in the Specification of the present application, is "characterized by one or more environmental factors that, in combination, sets the context of an operation." (Specification: para. 56; emphasis added). Examples of environmental factors include the browser the user is using, the organization the user belongs to, etc. Based on this context, embodiments of the present invention may, for instance, cause data that is normally accessible to a user (because of his/her role or identity) to become inaccessible, or vice versa. No disclosure pertaining to the specific concept of using context to restrict data access could be found in Surbey. Accordingly, Surbey fails to disclose

“wherein the web-based system is adapted to restrict the data accessible to the at least one user based on a plurality of attributes of the at least one user, the plurality of attributes including... a context in which the at least one user seeks access to the data” as recited in claim 2. (Emphasis added).

For at least the foregoing reasons, Applicants submit that independent claim 2 is not anticipated or rendered obvious by Surbey, and respectfully request that the rejection of claim 2 be withdrawn.

Independent Claim 18

Independent claim 18 recites features that are substantially similar to independent claim 2, and is thus allowable for at least a similar rationale as discussed for claim 2, and others.

Dependent Claims 3-17 and 19-33

Dependent claims 3-17 and 19-33 depend (either directly or indirectly) from independent claims 2 and 18 respectively, and are thus allowable for at least a similar rationale as discussed for claims 2 and 18.

In addition, Applicants submit that claims 3-17 and 19-33 recite other features that distinguish over Surbey. For example, claims 5 and 21 recite, in part “wherein the plurality of applications are adapted to employ a desktop visual metaphor for accessing the plurality of modules.” (Emphasis added). The Office Action asserts that this feature is shown in Surbey at page 4, paragraph 1, FIG. 9, and page 21, paragraph 1 to page 22, paragraph 2. (Office Action: pg. 4). Applicants respectfully disagree.

Page 4, paragraph 1 of Surbey states “A business model associated with embodiments of the present application can provide software that is tailored to the specific needs of the risk management and insurance industry... The software can wrap around existing systems that have been widely deployed in the industry such as e-mail and desktop office software.” In this context, the word “desktop” is merely used to refer to a type of computer software – e.g., office software for consumers that is run on end-user desktop (rather than mainframe or server) computers. In contrast, claims 5 and 21 recite that the applications included in embodiments of the present invention employ a desktop visual metaphor for accessing modules. As used in the

present application, a desktop visual metaphor is a specific type of metaphor for structuring a graphical interface that is presented to a user: “an application 304 may be structured so as to appear as a desktop to the user... icons [on the desktop] represent the icons for activating the modules associated with the active application...” (Specification: paras. 62-63). Clearly, page 4, paragraph 1 of Surbey does not teach anything about a desktop visual metaphor, let alone using such a metaphor to allow access to modules of an application in a web-based insurance management system as recited in claims 5 and 21.

FIG 9 and page 21, paragraph 1 to page 22, paragraph 2 of Surbey describe a software architecture for managing a web-enabled collaborative insurance process. As shown in FIG. 9 of Surbey, the architecture is composed of a plurality of service layers (*e.g.*, Web Services 9500, Application Services 9400, Collaboration Services 9300, Document Management 9200), which each include various modules (*e.g.*, brand management module 9480, localization module 9460, workflow management module 9320, security and permissions management module 9310, *etc.*). Thus, as best understood, the Office Action construes the service layers shown in FIG. 9 of Surbey as corresponding to the recited applications of claims 5 and 21, and the modules shown in FIG. 9 of Surbey as corresponding to the recited modules of claims 5 and 21.

However, these sections of Surbey do not teach anything about the particular type of user interface employed by each service layer, or the particular manner in which each service layer provides access to their included modules. Rather, these sections merely describe the architectural relationship of service layers to modules. In contrast, as discussed above, Applicants’ claims 5 and 21 specifically recite that each application employs a desktop visual metaphor, and that the applications provide access to modules via said desktop visual metaphor. Accordingly, Surbey cannot be properly construed as teaching or suggesting “wherein the plurality of applications are adapted to employ a desktop visual metaphor for accessing the plurality of modules” as recited in claim 5 and 21. (Emphasis added).

Further, dependent claims 16 and 32 recite, in part “wherein the web-based system is deployed on a portal hosted by a third party.” (Emphasis added). The Office Action asserts that this feature is shown in Surbey at the paragraph bridging pages 9 and 10 and at page

21, paragraph 4. (Office Action: pg. 5). However, as best understood, these cited sections of Surbey make absolutely no reference to the concept of deploying a web-based insurance system on a portal, let alone on a portal hosted by a third-party as recited in claims 16 and 32.

Thus, dependent claims 3-17 and 19-33 are allowable for at least these additional reasons.

Amendments to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the Specification as filed and do not add new matter.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

/Andrew J. Lee/

Andrew J. Lee
Reg. No. 60,371

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
A2L:m4g:rcw
61730145 v1